

Docket No.: M1103.70797US00

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(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lyndsay Williams et al.
Serial No.: 10/790,602
Confirmation No.: 9169
Filed: March 1, 2004
For: RECALL DEVICE
Examiner: E. D. Bertram
Art Unit: 3766

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: May 5, 2010

Signature: Scott R. Whittemore

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

PART II: Information Cited

Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicants would like to bring to the Examiner's attention the following other information, whose relevance is discussed in Part III below:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified PTO/SB/08):

The foreign patent references, JP2000-285221, JP S64-86122, JP 2001-166351, JP 11-317904, JP 2002-150273, JP 2003-032668, JP 2000-196934, JP 08-205133 and JP 2002-247434 were cited in the Notice of Rejection that issued in Japanese Patent Application No. 2005-047233 on November 10, 2009.

To further explain the relevance of these foreign patent references, a copy of this Notice of Rejection is included and is cited as non-patent literature. An English-language translation of this Notice of Rejection is included. This translation was prepared by a foreign associate when reporting to the undersigned on the status of the Japanese application.

Additionally, an English-language abstract and machine translation of each of the foreign patent references JP2000-285221, JP 2001-166351, JP 11-317904, JP 2002-150273, JP 2003-032668, JP 2000-196934, JP 08-205133 and JP 2002-247434 are included. A partial translation of foreign patent reference S64-86122 is included.

The foreign patent references, JP2001-309211, JP2003-234953, JP2002-131796, JP2003-230090, JP2-280478, JP2002-218382 and JP2002-051156 were cited in the Final Notice of Rejection that issued in Japanese Patent Application No. 2005-047233 on April 1, 2010.

To further explain the relevance of these foreign patent references, a copy of this Final Notice of Rejection is included and is cited as non-patent literature. An English-language translation of this Final Notice of Rejection is included. This translation was prepared by a foreign associate when reporting to the undersigned on the status of the Japanese application.

Additionally, an English-language abstract and machine translation of each of the foreign patent references, JP2003-234953, JP2002-131796, JP2003-230090, and JP2002-218382 are included. An English-language abstract of each of the foreign patent references, JP2001-309211 and JP2002-051156. An English-language abstract and partial translation of JP2-280478 is included.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

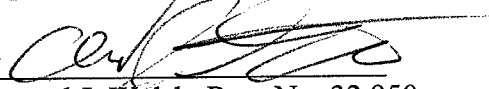
By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Dated: May 5, 2010

Respectfully submitted,

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